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operation of that statute. Hence, window glass broken in transit cannot be classed as "broken glass" and paid duty on as such but must be abandoned to the government or the full duty paid as on sound window glass.

*Electric Railways—Negligence.*—*Ellis v. Boston & L. R. Co.*, 35 N. E. Rep. 1127 (Mass.). It is the duty of the motorman to exercise reasonable care in looking out for horses that may be frightened at the passing of the car, thus endangering the safety of the occupants of vehicles and those using the street, and to do what he can in the management of his car to aid the driver in controlling the horse. A disregard of this duty is negligence for which the company is liable.

*Eminent Domain—Private Road—Right to take Private Property.*—*Welton v. Dickson et al.*, 57 N. W. Rep. 559 (Neb.). A statute of Nebraska, provided that when the lands of any person were so surrounded and enclosed as to cut off access to a public highway, commissioners should be appointed by the county board upon his petition to mark out a road to the nearest highway and assess damages to be paid to the owner of the land through which the road passed for the injury which he sustained. The plaintiff, through whose land a road was being marked off by commissioners, sought and obtained an injunction to prevent them from proceeding further. The court held that the clause in the State constitution declaring that "the private property of no person shall be taken or damaged for public use without just compensation therefor," was an implied prohibition on the power of the legislature to take the private property of one person and transfer it to another for his private use even when compensation was made, and hence that, as there was no adequate remedy at law, an injunction was properly granted.

*General Average—Statutory Exemption—Exceptions in Bill of Lading.*—*The Roanoke*, 59 Fed. Rep. 161. A statute or exceptions in the bill of lading to the effect that the owner of vessel shall not be liable for damage to cargo resulting from fire or wet does not release him from liability to contribute to general average.

*Intoxicating Liquors—"Wilson Act."*—*Ex parte Edgerton*, 59 Fed. Rep. 115. The "Wilson Act" of 1890 making intoxicating liquors subject to the laws of the State into which they are transported immediately upon their arrival, whether in the original